

## DECLARATION AND POWER OF ATTORNEY

As the below-named inventors, we declare that:

Our residences, post office addresses, and citizenships are as stated below under our names.

We believe we are the original, first and joint inventors of the invention entitled "METHOD AND SYSTEM FOR CONTROLLING A COMPLEMENTARY USER INTERFACE ON A DISPLAY SURFACE," which is described and claimed in the specification and claims of Continuation-in-Part Application No. 09/726,261, which we filed in the United States Patent and Trademark Office on November 28, 2000 and for which a patent is sought; and that this application in part discloses and claims subject matter disclosed in our earlier-filed Application No. 09/666,032, filed September 20, 2000, and claims the benefit of Provisional Application Nos. 60/183,453, filed February 18, 2000 and 60/248,438, filed November 13, 2000.

We have reviewed and understand the contents of the above-entitled specification, including the claims, as amended by any amendment specifically referred to herein (if any).

We acknowledge our duty to disclose information of which we are aware which is material to the patentability and examination of this application in accordance with 37 C.F.R. § 1.56(a), including material information which occurred between the filing date of said earlier-filed application and the filing date of the Continuation-in-Part application.

We hereby appoint George C. Rondeau, Jr., Reg. No. 28,893; David H. Deits, Reg. No. 28,066; William O. Ferron, Jr., Reg. No. 30,633; Richard G. Sharkey, Reg. No. 32,629; David V. Carlson, Reg. No. 31,153; Karl R. Hermanns, Reg. No. 33,507; Michael J. Donohue, Reg. No. 35,859; Jane E. R. Potter, Reg. No. 33,332; Robert Iannucci, Reg. No. 33,514; Lorraine Linford, Reg. No. 35,939; David W. Parker, Reg. No. 37,414; E. Russell Tarleton, Reg. No. 31,800; Ellen M. Bierman, Reg. No. 38,079; Brian G. Bodine, Reg. No. 40,520; Robert M. Ward, Reg. No. 26,517; Frank Abramonte, Reg. No. 38,066; Kevin S. Costanza, Reg. No. 37,801; Thomas E. Loop, Reg. No. 42,810; Stephen J. Rosenman, Reg. No. 43,058; Brian L. Johnson, Reg. No. 40,033; Susan D. Betcher, Reg. No. 43,498; William T. Christiansen, Reg. No. 44,614; Eric J. Gash, Reg. No. 46,274; Jeffrey C. Pepe, Reg. No. 46,985; Charles J. Rupnick, Reg. No. 43,068; Timothy L. Boller, Reg. No. 47,435; and James M. Verna, Reg. No. 33,287; comprising the firm of Seed Intellectual Property Law Group PLLC, 701 Fifth Avenue, Suite 6300, Seattle, Washington 98104-7092, as our attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. Please direct all correspondence to **Ellen M. Bierman** at Seed Intellectual Property Law Group PLLC, 701 Fifth Avenue, Suite 6300, Seattle, Washington 98104-7092, telephone calls to (206) 622-4900 and telecopies to (206) 682-6031.

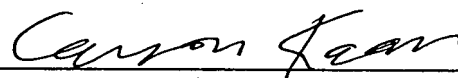
We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



D. David Nason

Date 5-10-01

Residence : City of Bainbridge Island, County of Kitsap  
State of Washington  
Citizenship : United States of America  
P.O. Address : 6577 Monte Vista Place  
Bainbridge Island, Washington 98110

  
Carson Kaan

Date 5-10-01

Residence : City of Seattle, County of King  
State of Washington  
Citizenship : United States of America  
P.O. Address : 6856 18th Avenue Northeast  
Seattle, Washington 98115

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(750037.401C3)

# PATENTS ONLY

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original document or copy thereof.

1. Name of conveying party:

- 1) D. DAVID NASON
- 2)
- 3)
- 4)
- 5)
- 6)

Additional names of conveying parties attached? ☐ Yes ☒ No

2. Name and address of receiving party:

Name: XSIDES CORPORATION

Internal Address: \_\_\_\_\_

Street Address: 821 SECOND AVENUE

SUITE 1600

City: SEATTLE

State WA

Zip: 98104

Additional names & addresses attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date:

- 1) MAY 10, 2001
- 2) \_\_\_\_\_
- 3) \_\_\_\_\_
- 4) \_\_\_\_\_
- 5) \_\_\_\_\_
- 6) \_\_\_\_\_

4. Application number(s) or registration number(s):

If this document is being filed together with a new application,  
the execution date of the application is \_\_\_\_\_.

A. Patent Application No(s).

09/726,261

B. Patent No(s).

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Seed Intellectual Property Law Group PLLC

Internal Address: ELLEN M. BIERMAN

Street Address: 701 Fifth Avenue, Suite 6300

City: Seattle State: WA ZIP: 98104-7092

6. Total number of applications and patents involved..... 1

7. Total Fee (37 CFR 3.41): ..... \$40

☒ Enclosed

☐ Authorized to be charged to deposit account

8. Deposit account number:

19-1090

DO NOT USE THIS SPACE

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

ELLEN M. BIERMAN

Name of Person Signing

Ellen M. Bierman

Signature

May 24, 2001

Date

Total number of pages including cover sheet, attachments, and document: 3

## ASSIGNMENT

WHEREAS, I, D. David Nason (hereinafter referred to as ASSIGNOR), having a post office address of 6577 Monte Vista Place, Bainbridge Island, Washington 98110, is a joint inventor of an invention entitled "METHOD AND SYSTEM FOR CONTROLLING A COMPLEMENTARY USER INTERFACE ON A DISPLAY SURFACE," as described and claimed in the specification forming part of a Continuation-in-Part application for United States letters patent which was filed on November 28, 2000 and assigned Application No. 09/726,261; this application is a continuation-in-part of U.S. Application No. 09/666,032, filed September 20, 2000 and claims the benefit of Provisional Application Nos. 60/183,453, filed February 18, 2000 and 60/248,438, filed November 13, 2000.

WHEREAS, xSides Corporation (hereinafter referred to as ASSIGNEE), a corporation of the State of California having a place of business at 821 Second Avenue, Suite 1600, Seattle, Washington 98104, is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR hereby sells, assigns and transfers unto said ASSIGNEE, his entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns for their use and benefit and of their successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNOR had this assignment, transfer and sale not been made. ASSIGNOR hereby authorizes and requests the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNOR agrees to execute all instruments and documents required for the making and prosecution of applications for United States and foreign letters

patent on said invention, for litigation regarding said letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

5-10-01  
Date \_\_\_\_\_  
D. David Nason  
State of Washington )  
County of King ) ss.

I certify that I know or have satisfactory evidence that D. David Nason is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated 5/10/01  
Signature of Notary Public [Signature]  
Printed Name Hope Rosen  
My appointment expires 2/18/04

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# PATENTS ONLY

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original document or copy thereof.

1. Name of conveying party:

- 1) CARSON KAAAN
- 2)
- 3)
- 4)
- 5)
- 6)

Additional names of conveying parties attached? ☐ Yes ☒ No

2. Name and address of receiving party:

Name: XSIDES CORPORATION

Internal Address: \_\_\_\_\_

Street Address: 821 SECOND AVENUE

SUITE 1600

City: SEATTLE

State WA

Zip: 98104

Additional names & addresses attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Dates:

- 1) MAY 10, 2001
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the execution date of the application is \_\_\_\_\_

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09/726,261

B. Patent No(s).

Additional numbers attached? ☐ Yes ☒ No

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Street Address: 701 Fifth Avenue, Suite 6300

City: Seattle State: WA ZIP: 98104-7092

6. Total number of applications and patents involved..... 1

7. Total Fee (37 CFR 3.41): ..... \$40

☒ Enclosed

☐ Authorized to be charged to deposit account

8. Deposit account number:

19-1090

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

ELLEN M. BIERMAN

Name of Person Signing

Ellen M. Bierman

Signature

May 24, 2001

Date

Total number of pages including cover sheet, attachments, and document: 3

## ASSIGNMENT

WHEREAS, I, Carson Kaan (hereinafter referred to as ASSIGNOR), having a post office address of 6856 18<sup>th</sup> Avenue Northeast, Seattle, Washington 98115, is a joint inventor of an invention entitled "METHOD AND SYSTEM FOR CONTROLLING A COMPLEMENTARY USER INTERFACE ON A DISPLAY SURFACE," as described and claimed in the specification forming part of a Continuation-in-Part application for United States letters patent which was filed on November 28, 2000 and assigned Application No. 09/726,261; this application is a continuation-in-part of U.S. Application No. 09/666,032, filed September 20, 2000 and claims the benefit of Provisional Application Nos. 60/183,453, filed February 18, 2000 and 60/248,438, filed November 13, 2000.

WHEREAS, xSides Corporation (hereinafter referred to as ASSIGNEE), a corporation of the State of California having a place of business at 821 Second Avenue, Suite 1600, Seattle, Washington 98104, is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR hereby sells, assigns and transfers unto said ASSIGNEE, his entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns for their use and benefit and of their successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNOR had this assignment, transfer and sale not been made. ASSIGNOR hereby authorizes and requests the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ~~ASSIGNOR agrees to execute all instruments and documents required for the making and prosecution of applications for United States and foreign letters patent on said invention, for litigation regarding said letters patent, or for the purpose of protecting title to said invention or letters patent therefor.~~ Furthermore, Carson Kaan agrees to execute all instruments and documents required for the making and prosecution of applications for United States and foreign letters patent on said invention, for litigation regarding letters

C. \$

patent, or for the purpose of protecting title to said invention or letters patent therefor, so long as Carson Kaan is an employee with ASSIGNEE.

10 May 2001      with charge noted above  
Date                      Carson Kaan  
Carson Kaan

State of Washington )  
   ) ss.  
County of King )

I certify that I know or have satisfactory evidence that Carson Kaan is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated 5/10/01  
Signature of  
Notary Public [Signature]  
Printed Name Hope Rosen  
My appointment expires 2/18/04

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